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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,536	09/22/2003	Tetsuro Motoyama	241505US CIP	5927

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
CHANKONG, DOHM	
ART UNIT	PAPER NUMBER
2452	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No.	Applicant(s)	
	10/665,536	MOTOYAMA, TETSURO	
	Examiner	Art Unit	
	DOHM CHANKONG	2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9,11,21-25,29 and 30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9,11,21-25,29 and 30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/18/09*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Applicant's request for continued examination. Claims 1, 11, 21, 25, 29, and 30 are amended. Claims 8, 10, 12-20, and 26-28 were previously cancelled. Accordingly, claims 1-7, 9, 11, 21-25, 29, and 30 are presented for further examination.

2. This action is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/3/2009 has been entered.

Information Disclosure Statement

4. The examiner has considered the information disclosure statement (IDS) submitted on 2/3/2009.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3, 4, 6, 7, 9, 11-22, 24, 25, 29 and 30 are rejected under 35 U.S.C §103(a) as being unpatentable over Fan et al, U.S Patent No. 6.310.692 ["Fan"], in view of Barrett et al, U.S. Patent No. 5.647.056 ["Barrett"], in further view of Okigawa, U.S. Patent No. 6.401.116, in further view of Danknick et al, U.S. Patent No. 5.901.286 ["Danknick"], in further view of Sorens et al, U.S. Patent No. 6.317.848 ["Sorens"].

6. Applicant cited Sorens in the IDS filed on 3/19/2008.

7. As to claim 1, Fan discloses a method of monitoring a monitored device communicatively coupled to a network, comprising:

periodically obtaining, by a first monitoring computer at a monitoring site using a first Internet protocol, first device information of the monitored device, the first device information including (1) status information obtained from sensors of the device, and (2) a device identification of the device [Figure 3 «items 250, 248» where : Fan's server reads on claimed first monitoring computer and Fan's printer reads on claimed first device | column 4 «line 63» to column 5 «line 14». Fan does not expressly disclose that the printer has sensors but this function is implied by the fact that the printer provides resource information to the first computer. Fan also does not expressly disclose that the device ID is included in the device information but this feature is implied by the fact that the notification must inform the administrator of the printer whose status he is receiving];

storing, by the first monitoring computer, the obtained first device information [column 5 «lines 15-18»];

processing the first device information and stored information of the device monitored by the first monitoring device to generate second device information that includes the first device information and the stored information [column 5 «lines 45-59» where the notification includes both the first device information collected from the printer as well as stored information such as the email addresses of the administrator or end users who are to receive the notification];

transmitting the second device information using a second Internet protocol from the first monitoring computer to a second computer [Figures 10-12 | column 4 «lines 11-14» : transmitting the notification to the client computer | column 5 «lines 45-59» : email or paging];

receiving said second device information by the second computer [column 5 «lines 45-59»],

wherein the first monitoring computer is remote from the device, and the first monitoring computer is the first computer to obtain the first device information from the device [Figure 3 «items 248, 250»].

Fan does not expressly disclose four limitations: (1) the first monitoring computer obtains first device information of the device through a firewall; (2) processing the first device information and previously stored status information to generate second device information; (3) that the monitored device is coupled to an intranet, that the monitoring site is located over a wide area network or that the second computer is located at the intranet network of the monitored device; and (4) transmitting the second device information at periodic regular intervals from the

first monitoring computer to a second monitoring computer. However, these features were well known in the art at the time of Applicant's invention.

As to the second feature, like Fan, Barrett discloses collecting device status information to generate a report for an administrator concerning the status of the device [column 14 «lines 24-44»]. Barrett improves upon this reporting by processing new first device information as well as previously stored status information to generate second device information [column 38 «lines 43-54» : cumulative or average log collects status information for all days. Thus, device information from one day is processed with previously stored status information from a previous day]. It would have been obvious to one of ordinary skill in the art to have modified Fan's reporting feature to include the cumulative or average logging capability taught in Barrett. One would have been motivated to modify Fan because such capability would provide an administrator more options in managing the printers.

As to the first feature, Okigami discloses a company intranet containing a devices to be monitored that is connected to a first monitoring computer through a firewall [Figure 1 «items 5, 7, 8»]. It would have been obvious to one of ordinary skill in the art to have modified Fan's invention to include a firewall as taught by Okigami. Firewalls are extremely well known in the art for providing an layer of protection to networks from unauthorized incursions. Therefore, one would have been motivated to have modified Fan to include a firewall to protect the monitored devices.

As the third missing feature, Fan does disclose that a monitored device [Fig. 3 «item 250»], a first monitoring computer at a monitoring site [Fig. 3 «items 240, 246»], and a second computer [Fig. 3 «item 220»] but does not disclose that the monitored device and second

computer located at an intranet while the monitoring site is located over a wide area network. But modifying configurations of networks was a well known feature in the art at the time of Applicant's invention as evidenced by Danknick. Like Fan, Danknick is directed towards an invention for monitoring devices over a network [Fig. 1 | column 1 «lines 19-22»]. Like Fan, Danknick further discloses a monitored device [Fig. 1 «item 17»], a first monitoring computer at a monitoring site [Fig. 1 «items 1, 3, 19»], and a second computer [Fig. 1 «items 9 and 16»]. However unlike Fan, Danknick further discloses that the monitored device and the second computer are located at the same intranet network [Fig. 1 «item 15»]. Danknick also discloses the first monitoring computer at a monitoring site communicating with the monitored device over a wide area network [Fig. 1 «item 19» | Fig. 15 «item s1535» | column 4 «lines 3-10» : disclosing a WAN as a collection of LANs].

It would have been obvious to one of ordinary skill in the art to have modified Fan's network configuration to match the configuration taught by Danknick. Doing so is merely an example of "a simple substitution of one known element for another to obtain predictable results." MPEP §2143. Specifically, Danknick's WAN and intranet networks are being substituted into Fan's networks that interconnect his monitored device, first monitoring computer, and second computer to obtain predictable results of enabling the computers to be located at different locations.

Finally, as to the fourth feature, it should be noted that Fan does disclose transmitting the second device information from a first monitoring computer to a second monitoring computer [column 6 «lines 32-45»]. Fan discloses the transmission is based on error conditions and is not transmitted on a periodic regular interval as claimed. However, such a feature was well known

in the art at the time of Applicant's invention as evidenced by Sorens. Like Fan, Sorens is directed to monitoring printer usage and generating notification messages that contain usage reports. Sorens improves upon Fan's method by sending such usage reports at regular intervals instead of only during error conditions [column 1 «lines 26-33»]. It is noted that Sorens does not teach sending usage reports from a first monitoring computer to a second monitoring computer; the rejection relies on Sorens' teaching that usage reports should be sent at regular intervals and not triggered solely by error conditions. Accordingly, it would have been obvious to one of ordinary skill in the art to have modified Fan's notification messages (from a first monitoring computer to a second monitoring computer) with Sorens' regular interval functionality. Sorens teaches that a major benefit of this feature is that it allows users to be proactive in predicting and preventing future printer problems.

8. As to claim 3, Fan discloses the first Internet protocol and the second Internet protocol are different Internet protocols [Figures 10-12 | column 4 «lines 4-8» where the second internet protocol take the form of http messages to the end user]. Fan does disclose that the device sends messages to the first computer [column 5 «lines 3-11»] but Fan does not expressly disclose the message comprises an Internet electronic mail message. Sending emails containing status information from a monitored device to a monitoring device is well known in the art. Fan describes a pushing based method of sending messages whereby the printer initiates the process of sending status information to a supervising computer [column 5 «lines 3-14»].

It would have been obvious to one of ordinary skill in the art to have implemented email into Fan because email is a well known push-based messaging system. Email functionality has

several benefits including the ability submit usage information when no response is required from the receiving party.

9. As to claim 4, Fan discloses the transmitting step comprises transmitting the second device information to the second computer periodically regardless of a content of the second device information [column 5 «lines 3-14»].

10. As to claim 6, Fan discloses:

generating, by the first monitoring computer, the second device information to include summary information regarding usage of the device [column 4 «lines 20-29 and 51-59»];

wherein the step of transmitting the second device information from the first monitoring computer comprises transmitting, by the first monitoring computer, the second device information that includes the information regarding usage of the device to the second computer [column 4 «lines 20-29 and 51-59»].

11. As to claim 7, Fan discloses the network device is one of a printer, a copier, and a facsimile machine [Figure 3 «item 250»].

12. As to claim 9, Fan as modified by Barrett, Okigawa, and Danknick discloses obtaining the first device information through an Intranet [Danknick, Fig. 1 «item 15» | Fig. 15 «item s1535» : the technical support server receiving status information from the monitored device].

13. As to claim 11, as it does not teach or further define over previously claimed limitations, it is similarly rejected for at least the same reasons set forth for claim 1.

14. As to claim 21, Fan discloses a method of monitoring a plurality of monitored devices communicatively coupled to a local network, comprising:

periodically accessing, using a first internet protocol, the plurality of devices by a service center computer that is remote from said local network to obtain first device information of the plurality of devices, including information obtained from sensors of the plurality of devices [column 5 «lines 1-26» : pulling based model];

storing the obtained first device information [column 5 «lines 15-18»];

periodically processing the first device information and stored information of the plurality of devices monitored by the service center computer to generate a usage report for the plurality of devices that includes the first device information and the stored information [column 4 «lines 49-62» : notifications on resource usage | column 5 «lines 45-59» where the notification includes both the first device information collected from the printer as well as stored information such as the email addresses of the administrator or end users who are to receive the notification];

transmitting the usage report, using a second Internet protocol, from the service center computer to a second computer [column 4 «lines 49-62»]; and

receiving the usage report by the second computer [column 4 «lines 49-62» : notifications sent to end users].

Fan does not expressly disclose that the monitored device is coupled to an intranet, that the monitoring site is located over a wide area network or that the second computer is located at

the intranet network of the monitored device, or transmitting the second device information from the first monitoring computer to the second monitoring computer at periodic regular intervals. However, these features were well known in the art at the time of Applicant's invention for the reasons discussed in the rejection of claim 1 with respect to the combination of Fan, Danknick, and Sorens.

15. As to claim 22, Fan discloses transmitting the usage report from the service center computer to the second computer as an e-mail message, wherein said email message is transmitted at an application layer [column 4 «lines 59-62»].

16. As to claim 24, Fan discloses receiving a request for transmission of the usage report from the second computer [column 1 «lines 33-36»]. Fan does not disclose translating the usage report into a format suitable for display on a web page. Danknick discloses translating usage reports for printers into a format suitable for display on a web page [Figure 7 | column 4 «lines 50-60» | column 7 «lines 31-39»]. It would have been obvious to one of ordinary skill in the art to have modified Fan to include Danknick's web page functionality. One would have been so motivated in order to allow Fan's end users access to their printers through conventional technology like web browsers.

17. As to claim 25, as it does not teach or further define over previously claimed limitations, it is similarly rejected for at least the same reasons set forth for claim 21.

18. As to claims 29 and 30, as they do not teach or further define over previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claims 1, 21, and 25.

19. Claims 2 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fan, Barrett, Okigami, Danknick, and Sorens in further view of Sekizawa, U.S. Patent No. 6.430.711.

20. Sekizawa was cited but not relied upon in the office action filed on 6.22.2007.

21. As to claim 2, Fan does not expressly disclose the first Internet protocol and the second Internet protocol are a same Internet protocol. However, such a feature was well known in the art at the time of Applicant's invention. In the same field of invention as Fan, Sekizawa discloses an invention for obtaining status information indicating the state of network printers connected to a network. However, Sekizawa improves Fan's system by disclosing that the status information is emailed from the printer to a first monitoring computer [column 4 «lines 6-17» : printer transmits status information to a mail server] and emailed from the first computer to a second computer [column 6 «lines 9-17» : retrieving the email from the first computer]. This email functionality is an improvement over Fan's system because "it is not necessary to establish connection each time the status-information is exchanged" and therefore the second computer "can smoothly get the status information" [Sekizawa, column 4 «lines 17-21»].

22. As to claim 5, Fan discloses the second device information comprises an Internet electronic mail message [column 4 «lines 59-62»]. Fan does not expressly disclose the message comprises an Internet electronic mail message. However, as discussed with respect to claim 2, Sekizawa does disclose utilizing email messages as a means for transmitting status information. Sending emails containing status information from a monitored device to a monitoring device is well known in the art. This email functionality is an improvement over Fan's system because "it is not necessary to establish connection each time the status-information is exchanged" and therefore the second computer "can smoothly get the status information" [Sekizawa, column 4 «lines 17-21»].

23. Claim 23 is rejected under 35 U.S.C §103(a) as being unpatentable over Fan, Barrett, Okigawa, Danknick, and Sorens in further view of Kolls, U.S Patent No. 6.601.040.

24. As to claim 23, Fan does disclose transmitting data from the service center computer to the second computer but does not expressly disclose transmitting data as a facsimile message. Sending reports by fax is well known in the art. For example, Kolls is directed towards are system for monitoring remote devices. Kolls expressly discloses that usage reports can be sent to administrators by fax [column 47 «lines 8-10»]. It would have been obvious to one of ordinary skill in the art to incorporate fax capability into Fan's system to increase the communications functionality of the system. Adding fax capability increases the number of options where a customer or staff can be notified of important information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571.272.3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/
Examiner, Art Unit 2452